

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

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|---|---|---|
| <b>BRUCE L. MYERS,</b>                      | : |   |
| <b>Plaintiff,</b>                           | : | <b>Case No. 3:07-cv-190</b>                   |
| <b>-vs-</b>                                 | : | <b>District Judge Thomas M. Rose</b>          |
|   | : | <b>Chief Magistrate Judge Michael R. Merz</b> |
|   | : |   |
| <b>COMMISSIONER OF<br/>SOCIAL SECURITY,</b> | : |   |
| <b>Defendant.</b>                           | : |   |

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**ORDER ADOPTING REPORT AND RECOMMENDATIONS**

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The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. #9), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired on December 7, 2007, hereby ADOPTS said Report and Recommendations, AFFIRMING the Commissioner's decision that Plaintiff was not disabled and not entitled to benefits under the Act.

The Clerk shall enter judgment accordingly.

December 11, 2007

**s/THOMAS M. ROSE**

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Thomas M. Rose  
United States District Judge